

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*

State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-KWR/KK

RIO CHAMA STREAM SYSTEM

Section 3: Canjilon Creek

**NOTICE OF WATER MANAGEMENT AGREEMENT AND
WITHDRAWAL OF OBJECTIONS BY THE ASOCIACIÓN DE ACÉQUIAS
NORTEÑAS DE RIO ARRIBA AND FIVE MEMBER ACÉQUIAS REGARDING
PRIORITY DATES AND IRRIGATION WATER REQUIREMENTS**

The Asociación de Acéquias Norteñas de Rio Arriba (“Asociación”) and Acéquia del Bordo, Acéquia del Llano, Acéquia del Brazito, Acéquia de la Otra Banda and Acéquia de Pinabetal (“Five Member Acéquias”) give notice of the Water Management Agreement for the Canjilon Acéquias, Exhibit 1, and do hereby withdraw their objections to the proposed determination of priority dates and irrigation water requirements in the Canjilon Subsection of Section 3 of the Rio Chama Stream System (“Canjilon Subsection”), as described in this Court’s *Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Canjilon Subsection of Section 3 of the Rio Chama Stream System* and its exhibits (“*Scheduling and Procedural Order*,” Doc. Nos. 11030, 11030-1, and 11030-2, filed 6/20/2014). The Asociación and Five Member Acéquias state the following:

1. The Five Member Acéquias and the Asociación withdraw their objections filed August 22, 2014 (Doc. No. 11043) to the State's proposed priority dates and irrigation water requirements in the Canjilon Subsection.¹

2. The Five Member Acéquias and the Asociación, having agreed to a Water Management Agreement for the Canjilon Acéquias, Exhibit 1, do not object to the priority dates proposed in this Court's *Scheduling and Procedural Order*.

3. It is the understanding of the Five Member Acéquias and the Asociación that their Project Diversion Requirement does not include diversion requirements associated with stockwatering, stockponds, or other impoundments determined to have valid water rights in these proceedings.

4. It is the understanding of the Five Member Acéquias and the Asociación that the Project Diversion Requirement shall not be used as the measure or limit of the right of a pre-1907 acéquia to divert water from a surface source water in the Canjilon Subsection.

DATED: May 8, 2023

Respectfully submitted,



JOHN W. UTTON
Utton & Kery, P.A.
675 Alto St.
Santa Fe, NM 87501
505-699-1445

¹ In their objections filed August 22, 2014 (Doc. No. 11043), objector acéquias were named as Acéquia del Bordo, the Acéquia del Llano, El Brazito Ditch, the Otra Banda Ditch and the Acéquia del Pinabetal, which are the same Five Member Acéquias filing this notice and withdrawal.